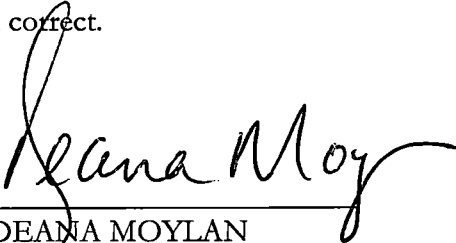


4. According to UTHealth's Handbook of Operating Procedure (HOOP) Policy 59, Sexual Misconduct as it existed at the time, the Title IX Coordinator was required to review the investigation summary and issue a determination on a policy violation, determine that the results were inconclusive, or require further investigation. The Title IX Coordinator at the time of the alleged incident was Dr. Margaret McNeese. However, due to her role as the Vice Dean of Admissions and Student Affairs at McGovern Medical School, where Plaintiff was a student, Dr. McNeese recused herself from the role of making this determination.

5. Therefore, in my role as Deputy Title IX Coordinator, I reviewed the investigation summary and issued a determination on April 15, 2021, that Plaintiff had violated HOOP Policy #59. A true and correct copy of my determination letter is attached as Exhibit B-2. I then sent a referral to Dr. McNeese on April 16, 2021, so that, in her role as Vice Dean, she could determine the appropriate discipline, if any, for Plaintiff in accordance with university policy.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on July 1, 2021


DEANA MOYLAN